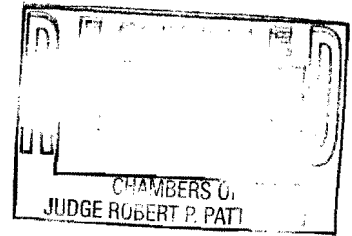


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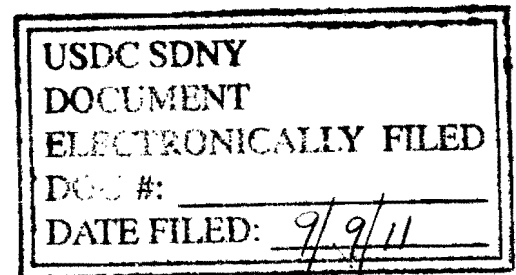
**MEMO ENDORSED**



September 9, 2011

VIA FACSIMILE TO (212) 805-7917

Honorable Robert P. Patterson  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room  
New York, New York 10007-1312



Re: Levin v. Bank of New York, 09 Civ. 5900 (RPP) (MHD) (S.D.N.Y.)

Dear Judge Patterson:

My firm represents defendants JPMorgan Chase & Co., JPMorgan Chase Bank, N.A. and The Bank of New York Mellon in this action.

By letter dated September 8, 2011 (a copy of which my firm received last evening), Curtis Mechling of Stroock & Stroock & Lavan LLP, on behalf of counsel for the plaintiffs and other judgment creditors, submitted for the Court's consideration a proposed Amended Scheduling Order with respect to Phase Two proceedings in the case.

I respectfully request that the Court afford my firm a brief extension until the close of business on Monday, September 12, to respond to Mr. Mechling's letter, before the Court takes any action with respect to the proposed Order. The attorney at my firm principally handling this matter, J. Kelley Nevling, Jr., is currently on a plane returning from Europe and not expected to return to New York until late this afternoon or early evening.

Respectfully,

*Richard F. Lubarsky*  
Richard F. Lubarsky

cc: All Counsel (by e-mail)

*Application granted  
So on order  
RPP Patterson G  
bSDr  
9/9/11*